

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

NELVY R. MENA-NUNEZ,

Petitioner,

v.

JONATHON W. HORTON, et al.,

Respondents.

Case No.: 4:19-cv-00921-ACA-JHE

**MEMORANDUM OPINION**

On October 30, 2019, the magistrate judge entered a report and recommendation (doc. 10), recommending that the court grant Respondents' motion to dismiss (doc. 9), and dismiss the petition for writ of habeas corpus as moot because Petitioner Nelvy Mena-Nunez has been removed to the Dominican Republic. Mr. Mena-Nunez did not file any objections. Having reviewed and considered *de novo* all the materials in this case, including the report and recommendation, the court **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation. The court **WILL GRANT** the Respondents' motion to dismiss and **WILL DISMISS** this petition **WITHOUT PREJUDICE**.

The court will enter a separate order consistent with this opinion.

**DONE** and **ORDERED** this November 19, 2019.



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**ANNEMARIE CARNEY AXON**  
UNITED STATES DISTRICT JUDGE